

REMARKS

Applicants have considered the outstanding official action. It is respectfully submitted that the claims of the application are directed to patentable subject matter as set forth below.

The outstanding rejections are as follows:

- (1) Claims 67-71, 86-87 and 110-111 under 35 U.S.C. §103(a) over U.S. Patent No. 5,979,818 (Perini '818); and
- (2) Claims 72-75, 112-117 and 124 under 35 U.S.C. §103(a) over Perini '818 in view of U.S. Patent No. 4,327,877 (Perini '877).

Claims 67 and 110 are the pending independent claims. Each of claims 67 and 110 are amended. Support is present, for example, in Figures 1A-1C and the corresponding description in the specification. Please note, for example, rolling surface 15 and the interruption member in the form of suction member 23 in the illustrated embodiment.

Claim 67 claims a rewinding machine for winding a web material into logs which includes a channel defined by a rolling surface and a movable core feed member constructed and arranged so that when a core is inserted in the channel

the web material is between the core and the movable core feed member and in contact with the feed member. An interruption member is associated with the movable core feed member. The interruption member is arranged on a side of the feed path which includes said movable core feed member wherein the side of said feed path is opposite the rolling surface. The interruption member is timed to operate when the web material is to be severed.

Claim 110 claims a method for producing logs of wound web material. A web material is fed to a winding system along a feed path extending along a channel defined between a rolling surface and a movable core feed member. A new winding core is inserted in the channel and the core is fed along the channel with the web material between the core and the feed member. The web material is interrupted at an end of winding of the first log forming a final free edge of the first log and an initial free edge for winding of a second log. The web material is interrupted by an interruption member which is activated at predetermined times to act on the web material along the channel on a side of the feed path which includes said interruption member and said feed member and opposite the rolling surface which is across from the feed member.

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Applicant has amended claims 67 and 110 as to the positional relationship of the interruption member, the feed member and the rolling surface. It is respectfully submitted that this distinction was not fully appreciated by the Examiner in view of the application of Perini '818 and Perini '877.

More particularly, in the Office Action mailed April 19, 2010, the Examiner states at page 3 in applying Perini '818 against claims 67-71, 86-87 and 110-111 that

"Perini '818 discloses the claimed invention except for placing the interruption member on an opposite side of the feed member and the rolling surface. It would have been obvious ... to modify the apparatus of Perini '818, by placing the interruption member on an opposite side of the feed member and the rolling surface" (emphasis added).

Applicants, however, do not claim that the interruption member is on a side of the feed channel opposite the feed member, but rather as being on a side opposite the rolling surface. The interruption member is not on a side of the feed path opposite the feed member and the rolling surface. Claims 67 and 110 have been amended to clarify this feature.

This claimed combination is not taught or suggested by Perini '818 or Perini '877.

Perini '818 discloses as shown in Figures 2 and 13 (Figure 13 being relevant to claim 68 which calls for a flexible feed member) a rewinding machine for forming logs of web material having material severing means 43 on rotary unit 41 positioned below rolling surface 35. Severing means 43 cooperates with roller 15 (Figure 2) or surface 154 (Figure 13), which are each on the upper side of channel 39, to exert pressure to tear the web material. Thus, Perini '818 teaches the severing means 43 as being on the same side of the channel or feed path as the rolling surface 35 and not opposite thereto. Additionally, the severing means 43 operates in conjunction with roller 15 (Figure 2) or surface 154 (Figure 13) in order to provide the pressure and tensioning which leads to the tearing of the web material.

In applicants' claimed apparatus and method, the interruption member is positioned in relation to the feed path on a side opposite the side containing the rolling surface. The interruption member is accordingly on a side of the feed path which also includes the movable core feed member. The interruption member, e.g. a suction member as claimed for example in claim 72, provides force to obstruct

feed of the web material to tension and break the web material. No oppositely positioned structure is required for operation in conjunction therewith in order to achieve the desired breaking of the web material. Accordingly, it is not simply a routine rearrangement of parts as asserted by the Examiner as the basis for obviousness since more is required than a simple relocation. On that basis, one skilled in the art would have provided a further structure below the rolling surface with which the interruption member would interact. This, however, is not required in applicants' claimed machine and method in view of the overall arrangement of the claimed apparatus and method of producing logs of web material as claimed. Further, Perini '818 is applied alone. No teaching or suggestion is present in Perini '818 for making the change. The Examiner did not cite any further reference which, when combined with Perini '818, would make the combination obvious.

Accordingly, Perini '818 does not disclose an interruption member as claimed. As such, Perini '818 does not teach or suggest applicants' claimed rewinding machine or claimed method and, thus, does not render the claims obvious within the meaning of 35 U.S.C. §103(a). Withdrawal of the §103 rejection is respectfully requested.

Perini '818 is also applied in combination with Perini '877 to reject dependent claims 72-75, 112-117 and 124 under 35 U.S.C. §103(a). Perini '877 is relied on for disclosing the additional limitations of these dependent claims. However, Perini '877 does not make up for the shortcomings of Perini '818 as set forth above.

Particularly, suction orifices 30 of Perini '877 are arranged in annular trenches 28 which are in annular channels 26 in lower drum 1 positioned opposite drums 3 and 5 and below the rolling surface of the feed path.

In Perini '877, the web is torn by roll Rf being suddenly projected outward in a direction contrary to the arrow f14 (Figures 3-5), since it is in contact with plane 46 and still in contact with the rotating presser drum 5 and thereafter with a brake drum 48, which brakes the roll Rf in its course. See, Figure 5; column 4, lines 26-30. This causes a slowing of the paper C present between the roll Rf and the point of contact between the upper drum 3 and the core in position A4, by effect of the continuous advance of web N along the arrow and around the upper drum 3 which maintains its own continuous rotation. See, column 4, lines 30-35. Preferably, the free path C of the paper between the roll Rf and the core in position A4, if tearing has not yet

taken place, is deformed toward and against the surface of the lower drum 1 at the suction orifices 30. See, column 4, lines 39-43. Continuing the rotation of drum 1 and of drum 3 according to the speed of feed of the web, the paper C between roll Rf and core A4 adheres to drum 1 by suction and then is inserted under core A4. The slackened length of paper C assumes a further conformation until it reaches the position shown in Figure 7 where it is held between core A4 and the lower drum 1, thereby tearing the paper at a point R between roll Rf and core A4. See, column 4, lines 43-53.

Applicants' claimed device and method of the rejected dependent claims 72-75 and 112-117 require that the interruption member is a suction member which applies a force on the web material to obstruct feed of the web material to tension and break the web material, or in claim 124 includes jets of air to provide winding of a free edge. Such is not the case in Perini '877. Rather, in Perini '877, lower drum 1 in combination with core A4 interrupts the web, while suction orifices 30 prevent slackening of the web upstream of the orifices. See, Figures 6 and 7.

Accordingly, Perini '818 in view of Perini '877 does not render the applicants' invention as claimed obvious

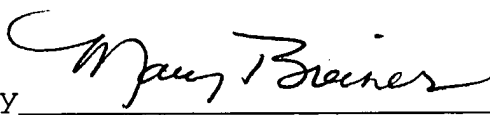
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within the meaning of 35 U.S.C. §103(a). Withdrawal of the
§103 rejection is respectfully requested.

Reconsideration and allowance of the claims are
respectfully urged.

Respectfully submitted,

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